

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
ANN ARBOR DIVISION**

CASE NO.: 5:23-cv-11329

PANORAMIC STOCK IMAGES, LTD dba
PANORAMIC IMAGES,

Plaintiff,

v.

GARYBLAW, PLLC,

Defendant.

COMPLAINT FOR COPYRIGHT INFRINGEMENT
(INJUNCTIVE RELIEF DEMANDED)

Plaintiff PANORAMIC STOCK IMAGES, LTD DBA PANORAMIC IMAGES by and through its undersigned counsel, brings this Complaint against Defendant GARYBLAW, PLLC for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff PANORAMIC STOCK IMAGES, LTD dba PANORAMIC IMAGES (“PSI”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute PSI’s original copyrighted Work of authorship.

2. PSI has specialized in wide and large-format panoramic photography for over 25 years. Their global roster of acclaimed photographers captures the world in awe-inspiring size to create a collection of international images: city skylines, landscapes, travel, lifestyles, cultural heritage, world destinations and aerials.

3. Mark Segal, one of the founders of PSI, is a photographer known for his wide perspectives in photos. Over the last 35 years Segal has been in the photography business, he has

worked closely with art directors and designers in 45 countries and has won numerous awards for his Works.

4. Defendant GARYBLAW, PLLC (“GB Law”) is a property and business law firm located in Ann Arbor, Michigan. At all times relevant herein, GB Law owned and operated the internet website located at the URL <https://www.garyblaw.com/> (the “Website”).

5. PSI alleges that GB Law copied PSI’s copyrighted Work from the internet in order to advertise, market and promote its business activities. GB Law committed the violations alleged in connection with GB Law’s business for purposes of advertising and promoting sales to the public in the course and scope of the GB Law’s business.

JURISDICTION AND VENUE

6. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

7. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

8. Defendant is subject to personal jurisdiction in Michigan.

9. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendant engaged in infringement in this district, Defendant resides in this district, and Defendant is subject to personal jurisdiction in this district.

DEFENDANT

10. GaryBLaw, PLLC is a Michigan Professional Limited Liability Company, with its principal place of business at 2020 Hogback Rd., Suite 13, Ann Arbor, MI 48105, and can be served by serving its Registered Agent, Gary Bengtson, 2020 Hogback Road, Suite 13, Ann Arbor, MI 48105.

THE COPYRIGHTED WORK AT ISSUE

11. In 2002, Mark Segal created the photograph entitled “79715”, which is shown below and referred to herein as the “Work”.



12. PSI registered the Work with the Register of Copyrights on June 19, 2018 and was assigned the registration number VA 2-123-064. The Certificate of Registration is attached hereto as Exhibit 1.

13. PSI’s Work is protected by copyright but is not otherwise confidential, proprietary, or trade secrets.

14. At all relevant times PSI was the owner of the copyrighted Work at issue in this case.

INFRINGEMENT BY DEFENDANT

15. GB Law has never been licensed to use the Work at issue in this action for any purpose.

16. On a date after the Work at issue in this action was created, but prior to the filing of this action, GB Law copied the Work.

17. On or about January 11, 2022, PSI discovered the unauthorized use of its Work on the Website. The Work was used on the Website’s homepage.

18. GB Law copied PSI’s copyrighted Work without PSI’s permission.

19. After GB Law copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its regular business activities.

20. GB Law copied and distributed PSI's copyrighted Work in connection with GB Law's business for purposes of advertising and promoting GB Law's business, and in the course and scope of advertising and selling products and services.

21. PSI's Works are protected by copyright but are not otherwise confidential, proprietary, or trade secrets.

22. GB Law committed copyright infringement of the Work as evidenced by the documents attached hereto as Exhibit 2.

23. PSI never gave GB Law permission or authority to copy, distribute or display the Work at issue in this case.

24. PSI notified GB Law of the allegations set forth herein on January 28, 2022 and February 14, 2022. To date, GB Law has failed to respond to Plaintiff's Notices.

COUNT I COPYRIGHT INFRINGEMENT

25. PSI incorporates the allegations of paragraphs 1 through 24 of this Complaint as if fully set forth herein.

26. PSI owns a valid copyright in the Work at issue in this case.

27. PSI registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

28. GB Law copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without PSI's authorization in violation of 17 U.S.C. § 501.

29. GB Law performed the acts alleged in the course and scope of its business activities.

30. GB Law's acts were willful.

31. PSI has been damaged.

32. The harm caused to PSI has been irreparable.

WHEREFORE, the Plaintiff Panoramic Stock Images, Ltd prays for judgment against the Defendant GaryBLAW, PLLC that:

a. Defendant and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Defendant be required to pay Plaintiff its actual damages and GB Law's profits attributable to the infringement, or, at Plaintiff's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Plaintiff be awarded its attorneys' fees and costs of suit under the applicable statutes sued upon;

d. Plaintiff be awarded pre- and post-judgment interest; and

e. Plaintiff be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury of all issues so triable.

DATED: June 2, 2023

Respectfully submitted,

/s/Joseph A. Dunne

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